



UNITED STATES BANKRUPTCY COURT
Northern District of California
U.S. Courthouse and Federal Building
280 South First Street Room 3035
San Jose, California 95113-3099
(408) 535-5118

Gloria L. Franklin
Clerk of Court

AMENDED

Richard W. Wieking, Clerk
United States District Court
280 South First Street
San Jose, CA 95113

C08 01637 JF

FILED
MAR 26 2008
UNITED STATES BANKRUPTCY COURT
SAN JOSE, CALIFORNIA

Re: *Case Name: The Billing Resource*
Case Number: 07-52890-ASW
Adv. Name: The Billing Resource v David R. Chase et al.
Adv. Name: 07-5156-ASW
Bankruptcy Judge Name: Arthur S. Weissbrodt
District Court #:

Dear Mr. Wieking:

☐ Enclosed please find the Notice of Appeal, certified copy of the docket and order being appealed and related papers from BAP and designated items to form the record on appeal for assignment to a district court judge.

☒ Enclosed please find a conformed copy of the Notice of Appeal, Election to District Court document, as well as a certified copy of the docket and order being appealed for assignment to a district court judge.

☐ Enclosed please find a conformed copy of the Notice of Appeal, Election to District Court document, a certified copy of the docket, the order being appealed, as well as Motion for Leave to Appeal / **Non-Final Order/Judgment** for assignment to a district court judge.

☐ Enclosed please find the record of designated items and a certificate of record for an appeal that has been previously sent to the district court.

☐ Enclosed please find the Appellant's Designation of Record.

☐ Enclosed please find the Appellee's Designation of Record.

☐ Enclosed please find the Statement of Issues.

☐ Enclosed please find the Motion for Leave to Appeal / *Non-Final Order/Judgment*.

☐ Other.

Please acknowledge receipt of this appeal by stamping the district court case number on a copy of this letter and return it to [Deputy Clerk] .

Gloria L. Franklin, Clerk
United States Bankruptcy Court

Dated: March 26, 2008

By: Janet Dustin
[~~Deputy Clerk~~], Deputy Clerk

1 WILLIAM BLUMENTHAL
General Counsel

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3 MICHAEL P. MORA
JULIE A. MACK
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9 ATTORNEYS FOR
FEDERAL TRADE COMMISSION

10 **UNITED STATES BANKRUPTCY COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12 **SAN JOSE DIVISION**

13 IN RE

14 THE BILLING RESOURCE, dba Integretel, a
California corporation,

15 Debtor

17 THE BILLING RESOURCE, dba
18 INTEGRETTEL,
a California corporation,

19 Plaintiff,

20 v.

21 FEDERAL TRADE COMMISSION, and DAVID
22 R. CHASE, not individually, but solely in his
capacity as receiver for Nationwide Connections,
23 Inc., Access One Communications, Inc., Network
One Services, Inc., 411TXT, Inc.,
24 CELL-INFOUSA, INC., Enhanced Billing
Services, Inc., Toll Free Connect, Inc., Cripple
25 Creek Holdings, LLC, Built to Last, LLC, Not
Fade Away, LLC, He's Gone, LLC, The Other
26 One, LLC, Turn on Your Love Light, LLC, China
Cat Sunflower, LLC, Lazy River Road Holdings,
27 LLC,

28 Defendant.

Case No. 07-52890
Chapter 11

Adv. Pro. No. 07-05156

FEDERAL TRADE
COMMISSION'S NOTICE OF
APPEAL

1 NOTICE IS HEREBY GIVEN that the FEDERAL TRADE COMMISSION appeals
2 under 28 U.S.C. § 158(a) from the order of the United States Bankruptcy Court for the Northern
3 District of California entitled, "Order Granting Motion for Preliminary Injunction," entered on
4 March 18, 2008.

5 This appeal is related to the following matters pending before Judge James Ware in the
6 United States District Court for the Northern District of California, which have already been
7 related:

8 (i) ***The Billing Resource v. Federal Trade Commission, 07-cv-5758-JW***, which involves two
9 separate appeals filed by the Federal Trade Commission of preliminary injunction orders
10 previously entered by the Bankruptcy Court in this Adversary Proceeding on November 8, 2007,
11 and November 27, 2007 ("November 27 Order");

12 (ii) ***The Billing Resource v. Federal Trade Commission, 07-cv-6210-JW***, which also involves
13 an appeal of the November 27 Order by David R. Chase, in his capacity as Receiver for
14 Nationwide Connections, Inc., Access One Communications, Inc., Network One Services and
15 other related entities ("the Receiver"); and

16 (iii) ***Federal Trade Commission v. The Billing Resource, 08-cv-00341-JW***, which involves a
17 motion to withdraw the reference of part of this Adversary Proceeding pursuant to 28 U.S.C.
18 § 157(d).

19 This appeal and each of the above captioned matters involve the same bankruptcy case,
20 *In re the Billing Resource*, Bk. Case No. 07-52890, and the same bankruptcy adversary
21 proceeding, *The Billing Resource v. Chase*, Adv. Pro. No. 07-5156. Moreover, the order
22 appealed from extends the November 8, 2007 preliminary injunction order at issue in the first of
23 the above-captioned matters.

24 A true and correct copy of the order issued by the Court on March 18, 2008 is attached
25 hereto as Exhibit A. The names of all parties to the order appealed from and the names,
26 addresses, telephone and fax numbers, and email addresses of their respective attorneys are as
27
28

1 follows:

2
3 Counsel to the Federal Trade Commission

4 John Andrew Singer

5 Michael P. Mora

6 Julie A. Mack

7 Attorneys for Federal Trade Commission

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8 Dated: March 21, 2008
9

Respectfully submitted,

10 WILLIAM BLUMENTHAL
General Counsel
11

12 /s/ Michael P. Mora
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20 ATTORNEYS FOR
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CERTIFICATE OF SERVICE

1
2 1. My name is Michael P. Mora. I am an attorney with the Federal Trade
3 Commission, an interested party in this matter. My business address is 600 Pennsylvania
4 Avenue, N.W., Room 2122, Washington, DC 20580.

5 2. A true and correct copy of the forgoing APPELLANT FEDERAL TRADE
6 COMMISSION'S NOTICE OF APPEAL was served on March 21, 2008, by causing it to be sent
7 via U.S. mail from Washington, DC, to the attached Service List.

8 3. The following also were served on March 21, 2008, by Electronic Noticing
9 pursuant to Section 10 of this Court's Amended Operating Order and Local Rule 9013-3(c) on
10 each Registered Participant as follows:

11 Michael H. Ahrens mahrens@sheppardmullin.com
12 Ori Katz okatz@sheppardmullin.com, dwhitehead@sheppardmullin.com
13 Jeffrey K. Rehfeld jrehfeld@sheppardmullin.com, ewalters@sheppardmullin.com
14 Steven B. Sacks ssacks@sheppardmullin.com, ewalters@smrh.com
Steven J. Schwartz sschwartz@dgdk.com

15 I declare under penalty of perjury under the laws of the United States of America that the
16 foregoing is true and correct.

17 Executed on March 21, 2008, at Washington, DC.

18
19 /s/ Michael P. Mora
20
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SERVICE LIST

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Michelle C. Visiedo-Hildago, Esquire
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Receiver in Case No. 06-80180-CIV-RYSKAMP

U.S. District Court for the Southern District of Florida

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9 FEDERAL TRADE COMMISSION

10
11 **UNITED STATES BANKRUPTCY COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
SAN JOSE DIVISION

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14 THE BILLING RESOURCE, dba Integretel, a
15 California corporation,

16 Debtor

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18 THE BILLING RESOURCE, dba
19 INTEGRETTEL,
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20 Plaintiff,

21 v.

22 FEDERAL TRADE COMMISSION, and DAVID
23 R. CHASE, not individually, but solely in his
capacity as receiver for Nationwide Connections,
24 Inc., Access One Communications, Inc., Network
One Services, Inc., 411TXT, Inc.,
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26 Creek Holdings, LLC, Built to Last, LLC, Not
Fade Away, LLC, He's Gone, LLC, The Other
27 One, LLC, Turn on Your Love Light, LLC, China
Cat Sunflower, LLC, Lazy River Road Holdings,
LLC,

28 Defendant.

Case No. 07-52890
Chapter 11

Adv. Pro. No. 07-05156

APPELLANT FEDERAL TRADE
COMMISSION'S STATEMENT
OF ELECTION TO HAVE
APPEAL HEARD BY DISTRICT
COURT

1 Pursuant to 28 U.S.C. § 158(c)(1) and Fed. R. Bankr. P. 8001(e), Appellant Federal
2 Trade Commission (the "FTC") hereby elects to have its appeal from the Bankruptcy Court order
3 entitled "Order Granting Motion for Preliminary Injunction," entered on March 18, 2008, heard
4 by the United States District Court for the Northern District of California.

5 This appeal is related to the following matters pending before Judge James Ware in the
6 United States District Court for the Northern District of California, which have already been
7 related:

8 (i) ***The Billing Resource v. Federal Trade Commission***, 07-cv-5758-JW, which involves two
9 separate appeals filed by the Federal Trade Commission of preliminary injunction orders
10 previously entered by the Bankruptcy Court in this Adversary Proceeding on November 8, 2007,
11 and November 27, 2007 ("November 27 Order");

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15 other related entities ("the Receiver"); and

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17 motion to withdraw the reference of part of this Adversary Proceeding pursuant to 28 U.S.C.
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20 *In re the Billing Resource*, Bk. Case No. 07-52890, and the same bankruptcy adversary
21 proceeding, *The Billing Resource v. Chase*, Adv. Pro. No. 07-5156. Moreover, the order
22 appealed from extends the November 8, 2007 preliminary injunction order at issue in first of the
23 above-captioned matters.
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1 Notice of the FTC's foregoing appeal is being filed concurrently with this Statement of
2 Election.

3
4 Dated: March 21, 2008

Respectfully submitted,

5 WILLIAM BLUMENTHAL
6 General Counsel

7
8 /s/ Michael P. Mora
9 JOHN ANDREW SINGER
10 MICHAEL P. MORA
11 JULIE A. MACK
12 Federal Trade Commission
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15 ATTORNEYS FOR
16 FEDERAL TRADE COMMISSION
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CERTIFICATE OF SERVICE

1
2 1. My name is Michael P. Mora. I am an attorney with the Federal Trade
3 Commission, an interested party in this matter. My business address is 600 Pennsylvania
4 Avenue, N.W., Room 2122, Washington, DC 20580.

5 2. A true and correct copy of the forgoing APPELLANT FEDERAL TRADE
6 COMMISSION'S STATEMENT OF ELECTION TO HAVE APPEAL HEARD BY DISTRICT
7 COURT will be served on November 28, 2007, by causing it to be sent via U.S. mail from
8 Washington, DC, to the Attached Service List.

9 The following also were served on March 21, 2008, by Electronic Noticing pursuant to
10 Section 10 of this Court's Amended Operating Order and Local Rule 9013-3(c) on each
11 Registered Participant as follows:
12

13 Michael H. Ahrens mahrens@sheppardmullin.com
14 Ori Katz okatz@sheppardmullin.com, dwhitehead@sheppardmullin.com
15 Jeffrey K. Rehfeld jrehfeld@sheppardmullin.com, ewalters@sheppardmullin.com
Steven B. Sacks ssacks@sheppardmullin.com, ewalters@smrh.com
Steven J. Schwartz sschwartz@dgdk.com

16 I declare under penalty of perjury under the laws of the United States of America that the
17 foregoing is true and correct.

18 Executed on March 21, 2008, at Washington, DC.

19
20 /s/ Michael P. Mora
21
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SERVICE LIST

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Miami, Florida 33131

Receiver in Case No. 06-80180-CIV-RYSKAMP

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7 Sara L. Kisler, Acting U.S. Trustee
8 for Region 17

9 Office of the U.S. Trustee / SJ

10 U.S. Federal Bldg.

11 280 South 1st Street, #268

12 San Jose, California 95113-3004

March 18, 2008

GLORIA L. FRANKLIN, CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA**IT IS SO ORDERED.**
Signed March 18, 2008Arthur S. Weissbrodt
U.S. Bankruptcy JudgeSHEPPARD, MULLIN, RICHTER &
HAMPTON LLPA Limited Liability Partnership
Including Professional CorporationsMICHAEL H. AHRENS,
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Attorneys for The Billing Resource, dba
IntegretelUNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In re

THE BILLING RESOURCE, dba
INTEGRETEL, a California corporation,

Debtor.

Case No. 07-52890

Chapter 11

THE BILLING RESOURCE, dba
INTEGRETEL, a California corporation,

Plaintiff,

v.

FEDERAL TRADE COMMISSION, and
DAVID R. CHASE, not individually, but
solely in his capacity as receiver for
Nationwide Connections, Inc., Access One
Communications, Inc., Network One Services,
Inc., 411TXT, Inc., CELL-INFO-USA, INC.,
Enhanced Billing Services, Inc., Toll Free
Connect, Inc., Cripple Creek Holdings, LLC,
Built to Last, LLC, Not Fade Away, LLC, He's
Gone, LLC, The Other One, LLC, Turn on
Your Love Light, LLC, China Cat Sunflower,
LLC, Lazy River Road Holdings, LLC,

Defendants.

Adv. Proc. No. 07-05156

**ORDER GRANTING MOTION FOR
PRELIMINARY INJUNCTION**

Date: March 7, 2008

Time: 1:00 p.m.

Court: Hon. Judge Weissbrodt

1 The motion filed by The Billing Resource, dba Integretel ("Integretel"), for an order
2 extending the preliminary injunction issued herein on November 7, 2007, came on regularly for
3 hearing on March 7, 2008. Steven B. Sacks appeared for Debtor. Walter Oetzell appeared for the
4 Receiver, David R. Chase. Collot Guerrard, Michael Mora and John Singer appeared for the
5 Federal Trade Commission ("FTC"). Other appearances were as stated on the record.

6 The Court having previously issued an order granting a preliminary injunction and set out
7 findings and conclusions in its Memorandum Decision dated November 2, 2007, having
8 considered the pleadings and argument of counsel for the parties, having made findings of fact and
9 conclusions of law on the record of the hearing, and GOOD CAUSE APPEARING, it is hereby
10 ordered as follows:

11 The Federal Trade Commission and its officers, agents, servants, employees and attorneys,
12 and those in active concert or participation with them, are restrained and enjoined through and
13 including the earlier of June 12, 2008 or the date that is 10 days following the entry of the Court's
14 order confirming a Plan of Reorganization herein, from pursuing or prosecuting any claims against
15 Integretel in that certain action captioned Federal Trade Commission v. Nationwide Connections,
16 Inc., et al., Case No. 06-80180-Civ-Ryskamp (the "Florida Action") pending in the United States
17 District Court for the Southern District of Florida. On June 5, 2008 at 1:30 p.m., the Court will
18 hold a further hearing on whether this preliminary injunction shall remain in effect beyond June
19 12, 2008. Any supplemental papers in support of continuing the preliminary injunction of the
20 Florida Action after June 12, 2008 shall be filed and served by May 15, 2008. Any opposition
21 shall be filed by May 22, 2008 and any reply shall be filed by May 29, 2008. Either the Federal
22 Trade Commission or Integretel may request before June 5, 2008 that the preliminary injunction
23 be lifted for good cause based on facts that are not currently before this Court. The injunction
24 issued herein does not affect or restrain the parties from prosecuting and responding to appeals
25 filed by Integretel from orders issued by the Florida Court;

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27 ** END OF ORDER **
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Approved as to form:

WILLIAM BLUMENTHAL
General Counsel

By: /s/ Michael Mora

Michael Mora

John Andrew Singer

Attorneys for the Federal Trade Commission

DANNING, GILL, DIAMOND & KOLLITZ, LLP

By: /s/ Walter K. Oetzell

Walter K. Oetzell

Attorneys for David R. Chase,
As Receiver

COURT SERVICE LIST

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The Billing Resource dba Integretel
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- 8 Counsel for The Billing Resource dba Integretel
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9 Attn: Michael H. Ahrens, Esq.
4 Embarcadero Center, 17th Floor
10 San Francisco, CA 94111-4106
- 11 David R. Chase, Receiver
David R. Chase, Receiver for Access One Communications,
12 Inc. and Network One Services, Inc.
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APPEAL

U.S. Bankruptcy Court
Northern District of California (San Jose)
Adversary Proceeding #: 07-05156
Internal Use Only

Assigned to: Judge Arthur S. Weissbrodt

Date Filed: 09/19/07

Related BK Case: 07-52890

Related BK Title: The Billing Resource

Related BK Chapter: 11

Demand:

Nature[s] of Suit: 91 Declaratory judgment

72 Injunctive relief - other

Plaintiff

The Billing Resource

5883 Rue Ferrari

San Jose, CA 95138

Tax id: 33-0289863

represented by **Jeffrey K. Rehfeld**

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UNITED STATES BANKRUPTCY COURT
Northern District of California

I certify that this is a true, correct and full copy
of the original document on file in my custody.

Dated _____

by _____

Deputy Clerk

V.

Defendant

David R Chase, Defendant
 c/o Tew Cardenas LLP
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represented by **Steven J. Schwartz**
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Filing Date	#	Docket Text
09/19/2007	1	Adversary case 07-05156. 91 (Declaratory judgment), 72 (Injunctive relief - other) Complaint by The Billing Resource against David R Chase, Federal Trade Comission. Fee Amount \$250. (Katz, Ori) (Entered: 09/19/2007)
09/19/2007		Receipt of filing fee for Complaint(07-05156) [cmp,cmp] (250.00). Receipt number 4643836, amount \$ 250.00 (U.S. Treasury) (Entered: 09/19/2007)
09/19/2007	2	Summons to be Issued on David R Chase, Federal Trade Comission (RE: related document(s)1 Complaint filed by Plaintiff The Billing Resource). (Katz, Ori) (Entered: 09/19/2007)
09/19/2007	3	Adversary Cover Sheet (RE: related document(s)1 Complaint filed by Plaintiff The Billing Resource). (Katz, Ori) (Entered: 09/19/2007)
09/20/2007	4	Summons Issued on David R Chase Answer Due 10/22/2007; Federal Trade Comission Answer Due 10/22/2007. (jd,) (Entered: 09/20/2007)

09/20/2007	● <u>5</u>	Order for Telephonic Status Conference with Certificate of Service. . Status Conference to be held on 12/10/2007 at 02:15 PM at San Jose Courtroom 3020 - Weissbrodt. (jd,) (Entered: 09/20/2007)
09/24/2007	● <u>6</u>	Emergency Motion for Order to Show Cause RE: , Motion for Preliminary Injunction <i>and Declaratory Relief</i> , Motion for Temporary Restraining Order Filed by Plaintiff The Billing Resource. (Attachments: # <u>1</u> Exhibit A - Proposed Order# <u>2</u> Memorandum of Points and Authorities # <u>3</u> Declaration of Neal Goldfarb# <u>4</u> Declaration of Ken Dawson) (Sacks, Steven) (Entered: 09/24/2007)
09/24/2007	● <u>7</u>	Declaration of Steven B. Sacks in support of (RE: related document(s) <u>6</u> Motion for Order to Show Cause,, Motion for Preliminary Injunction,, Motion for Temporary Restraining Order,). Filed by Plaintiff The Billing Resource (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D# <u>5</u> Exhibit E) (Sacks, Steven) (Entered: 09/24/2007)
09/24/2007	● <u>8</u>	Notice of Hearing (RE: related document(s) <u>6</u> Motion for Order to Show Cause,, Motion for Preliminary Injunction,, Motion for Temporary Restraining Order, filed by Plaintiff The Billing Resource, <u>7</u> Declaration, filed by Plaintiff The Billing Resource). Hearing scheduled for 9/26/2007 at 02:15 PM at San Jose Courtroom 3020 - Weissbrodt. Filed by Plaintiff The Billing Resource. (Sacks, Steven) (Entered: 09/24/2007)
09/25/2007	● <u>9</u>	Brief/Memorandum in Opposition to <i>Debtor's Emergency Motion for Temporary Restraining Order</i> (RE: related document(s) <u>6</u> Motion for Order to Show Cause,, Motion for Preliminary Injunction,, Motion for Temporary Restraining Order,). Filed by Defendant Federal Trade Comission (Mack, Julie) ERROR: PDF CONTAINS MAIN BANKRUPTCY CASE NUMBER #07-52890. ADVERSARY PROCEEDING NUMBER NOT SHOWN ON PDF. . Modified on 9/26/2007 (er,). (Entered: 09/25/2007)
09/25/2007	● <u>10</u>	Brief/Memorandum in Opposition to (Related Document(s): <u>6</u> Emergency Motion for Order to Show Cause RE: , Motion for Preliminary Injunction and Declaratory Relief, Motion for Temporary Restraining Order). . Filed by Defendant David R Chase (Schwartz, Steven) ERROR: ADVERSARY PROCEEDING NUMBER INCORRECT ON PDF. CORRECTIVE ENTRY: COURT ADDED LINKAGE TO DOCUMENT #6 EMERGENCY MOTION FOR ORDER TO SHOW CAUSE, MOTION FOR PRELIMINARY INJUNCTION, MOTION FOR TEMPORARY RESTRAINING ORDER. Modified on 9/26/2007 (er,). (Entered: 09/25/2007)
09/25/2007	● <u>11</u>	Certificate of Service (RE: related document(s) <u>8</u> Notice of Hearing,, <u>6</u> Motion for Order to Show Cause,, Motion for Preliminary Injunction,, Motion for Temporary Restraining Order,, <u>7</u> Declaration,). Filed by

		Plaintiff The Billing Resource (Sacks, Steven) (Entered: 09/25/2007)
09/26/2007	● <u>12</u>	Certificate of Service of <i>Federal Trade Commission's Opposition to Debtor's Emergency Motion for Temporary Restraining Order and Order to Show Cause Regarding Preliminary Injunction and Declaratory Relief</i> (RE: related document(s) <u>9</u> Opposition Brief/Memorandum,). (Mack, Julie) (Entered: 09/26/2007)
09/26/2007	●	Hearing Continued (RE: related document(s) <u>6</u> Emergency Motion for Order to Show Cause RE: , Motion for Preliminary Injunction and <i>Declaratory Relief</i> , Motion for Temporary Restraining Order Filed by Plaintiff The Billing Resource. Hearing to be held on 10/2/2007 at 2:00 PM San Jose Courtroom 3020 - Weissbrodt for <u>6</u> , any additional pleadings by plaintiff to be filed NLT 12:00 PM on 9/28/07, any response due NLT 3:00 PM 10/1/07. (tb,) (Entered: 09/26/2007)
09/27/2007		Deadlines terminated. Party had set a deadline on a declaration. (tb,) (Entered: 09/27/2007)
09/28/2007	● <u>13</u>	Memorandum of Points and Authorities in Support of <i>Supplemental Memorandum In Support Of Request For Temporary Restraining Order And Order To Show Cause Re: Preliminary Injunction And Declaratory Relief</i> (RE: related document(s) <u>6</u> Motion for Order to Show Cause,, Motion for Preliminary Injunction,, Motion for Temporary Restraining Order,). Filed by Plaintiff The Billing Resource (Attachments: # <u>1</u> Supplemental Declaration Of Ken Dawson# <u>2</u> Certificate of Service) (Sacks, Steven) (Entered: 09/28/2007)
09/28/2007	● <u>14</u>	Summons Service Executed on David R Chase 9/28/2007; Federal Trade Comission 9/28/2007 ; <i>Tew Cardenas LLP</i> 9/29/2007; <i>Danning, Gill, Diamond & Kollitz LLP</i> 9/28/2007; <i>US Attorney for FTC-San Jose</i> 9/28/2007; and <i>US Attorney for FTC, San Francisco</i> , 9/28/2007. (Attachments: # <u>1</u> Certificate of Service) (Rehfeld, Jeffrey) (Entered: 09/28/2007)
09/28/2007	● <u>15</u>	Supplemental Certificate of Service of <i>Summons and Notice of Telephonic Status Conference in Adversary Proceeding; Complaint for Declaratory Relief, Temporary Restraining Order, and Preliminary Injunction; Adversary Cover Sheet; Order Setting Telephonic CMC in San Jose; and Bankruptcy Dispute Resolution Program Information Sheet</i> (RE: related document(s) <u>14</u> Summons Service Executed, <u>1</u> Complaint, <u>3</u> Adversary Cover Sheet, <u>5</u> Order for Telephonic Status Conference with Certificate of Service). Filed by Plaintiff The Billing Resource (Rehfeld, Jeffrey) CORRECTIVE ENTRY: COURT MODIFIED THE DOCKET TEXT AND ADDED LINKAGE TO THE DOCUMENTS LISTED AS BEING SERVED. Modified on 10/1/2007 (cvt,). (Entered: 09/28/2007)

09/29/2007	● <u>16</u>	Corrected Certificate of Service of <i>Supplemental Memorandum in Support of Request for TRO and Supplemental Declaration of K. Dawson</i> (RE: related document(s) <u>13</u> Memo of Points & Authorities,). Filed by Plaintiff The Billing Resource (Sacks, Steven) (Entered: 09/29/2007)
09/30/2007	● <u>18</u>	Order Not Signed Regarding Motion to Show Cause (Related Doc # <u>6</u>), Not Signed Regarding Motion for Preliminary Injunction (Related Doc # <u>6</u>), Not Signed Regarding Motion for Temporary Restraining Order (Related Doc # <u>6</u>) (cvt,) (Entered: 10/02/2007)
10/01/2007	● <u>17</u>	Supplemental Brief/Memorandum in Opposition to <i>Debtor's Emergency Motion for TRO</i> (RE: related document(s) <u>6</u> Motion for Order to Show Cause,, Motion for Preliminary Injunction,, Motion for Temporary Restraining Order,). Filed by Defendant Federal Trade Commission (Attachments: # <u>1</u> Declaration of Laura Kim# <u>2</u> Declaration Exhibits A-K# <u>3</u> Declaration Exhibits L-N) (Mack, Julie) (Entered: 10/01/2007)
10/02/2007	●	Hearing Continued (RE: related document(s) <u>6</u> Emergency Motion for Order to Show Cause RE: , Motion for Preliminary Injunction and <i>Declaratory Relief</i> , Motion for Temporary Restraining Order Filed by Plaintiff The Billing Resource. Temporary Restraining Order denied, Hearing on Preliminary Injunction to be held on 10/17/2007 at 2:00 PM San Jose Courtroom 3020 - Weissbrodt for <u>6</u> ; plaintiff to file by noon on 10/12/07, defendant to respond by noon on 10/15/07. (tb,) (Entered: 10/04/2007)
10/03/2007	● <u>19</u>	Transcript, Date of Hearing: Sep. 26, 2007 <i>emergency motion for TRO, etc.</i> (Palmer, Susan) (Entered: 10/03/2007)
10/04/2007	● <u>20</u>	Certificate of Service <i>Federal Trade Commission's Supplemental Opposition to Debtor's Emergency Motion for Temporary Restraining Order and Order to Show Cause Regarding Preliminary Injunction and Declaratory Relief</i> (RE: related document(s) <u>17</u> Opposition Brief/Memorandum,). Filed by Defendant Federal Trade Commission (Mack, Julie) (Entered: 10/04/2007)
10/04/2007	● <u>21</u>	BNC Certificate of Mailing - Electronic Order (RE: related document(s) <u>18</u> Order on Motion to Show Cause, Order on Motion for Preliminary Injunction, Order on Motion for Temporary Restraining Order). Service Date 10/04/2007. (Admin.) (Entered: 10/04/2007)
10/10/2007	● <u>22</u>	Order Denying Motion for Temporary Restraining Order (Related Doc # <u>6</u>) (aw,) (Entered: 10/11/2007)
10/12/2007	● <u>23</u>	Memorandum of Points and Authorities in Support of <i>Motion for Preliminary Injunction</i> (RE: related document(s) <u>6</u> Motion for Order to Show Cause,, Motion for Preliminary Injunction,, Motion for Temporary

		Restraining Order,, <u>13</u> Memo of Points & Authorities,). Filed by Plaintiff The Billing Resource (Attachments: # <u>1</u> Declaration of Ken Dawson# <u>2</u> Exhibit 1 to Dawson Declaration# <u>3</u> Exhibit 2 to Dawson Declaration# <u>4</u> Exhibit 3 to Dawson Declaration# <u>5</u> Declaration of Paul Weber# <u>6</u> Exhibit A to Weber Declaration# <u>7</u> Exhibit B to Weber Declaration# <u>8</u> Exhibit C to Weber Declaration) (Katz, Ori) (Entered: 10/12/2007)
10/12/2007	● <u>24</u>	Transcript, Date of Hearing: Oct. 2, 2007 <i>emergency motion on TRO and order to show cause.</i> (Palmer, Susan) (Entered: 10/12/2007)
10/12/2007	● <u>25</u>	First Request To Take Judicial Notice of <i>Federal Receiver in Response to Order to Show Cause Re: Preliminary Injunction.</i> Filed by Defendant David R Chase (Attachments: # <u>1</u> Appendix # <u>2</u> Appendix # <u>3</u> Appendix # <u>4</u> Appendix # <u>5</u> Appendix # <u>6</u> Appendix # <u>7</u> Appendix # <u>8</u> Appendix # <u>9</u> Appendix # <u>10</u> Appendix) (Schwartz, Steven) ERROR: EXHIBITS SHOULD BE AN ATTACHMENT. Modified on 10/15/2007 (aw,). (Entered: 10/12/2007)
10/12/2007	● <u>26</u>	Certificate of Service (RE: related document(s) <u>23</u> Memo of Points & Authorities,,). Filed by Plaintiff The Billing Resource (Sacks, Steven) (Entered: 10/12/2007)
10/13/2007	● <u>27</u>	BNC Certificate of Mailing - Electronic Order (RE: related document(s) <u>22</u> Order on Motion for Temporary Restraining Order). Service Date 10/13/2007. (Admin.) (Entered: 10/13/2007)
10/15/2007	● <u>28</u>	Brief/Memorandum in Opposition to <i>Motion for Preliminary Injunction</i> (RE: related document(s) <u>6</u> Motion for Order to Show Cause,, Motion for Preliminary Injunction,, Motion for Temporary Restraining Order,). Filed by Defendant David R Chase (Schwartz, Steven) (Entered: 10/15/2007)
10/15/2007	● <u>29</u>	Supplemental Brief/Memorandum in Opposition to <i>Debtor's Emergency Motion for Preliminary Injunction</i> (RE: related document(s) <u>6</u> Motion for Order to Show Cause,, Motion for Preliminary Injunction,, Motion for Temporary Restraining Order,). Filed by Defendant Federal Trade Comission (Attachments: # <u>1</u> Declaration of Collot Guerard# <u>2</u> Declaration Exhibits A-E) (Mack, Julie) ERROR: WRONG EVENT CODE SELECTED. Modified on 10/16/2007 (aw,). (Entered: 10/15/2007)
10/15/2007	● <u>30</u>	Certificate of Service (RE: related document(s) <u>28</u> Opposition Brief/Memorandum,). Filed by Defendant David R Chase (Schwartz, Steven) (Entered: 10/15/2007)
10/15/2007	● <u>31</u>	Certificate of Service (RE: related document(s) <u>25</u> Request To Take Judicial Notice,). Filed by Defendant David R Chase (Schwartz, Steven) (Entered: 10/15/2007)

10/15/2007	● <u>32</u>	Certificate of Service of <i>Federal Receiver's Second Supplemental Opposition to Motion for Authority to Use Cash Collateral; Memorandum of Points and Authorities</i> . Filed by Defendant David R Chase (Schwartz, Steven) ERROR: LINKAGE. FYI: COURT UNABLE TO ADD LINKAGE DUE TO LOCATING PLEADING TITLED SECOND SUPPLEMENTAL OPPOSITION ON COURT DOCKET. Modified on 10/16/2007 (aw,). (Entered: 10/15/2007)
10/17/2007	●	Courtroom Hearing Held (RE: multi-part motion - related document(s) <u>6</u>) (Under submission; the status conference to be held in the main case (07-52890) is continued from 10/26/07 at 2:00 PM to 11/2/07 at 1:00 PM.)(tb,) (Entered: 10/18/2007)
10/19/2007	● <u>33</u>	Motion to Dismiss Adversary Proceeding <i>Motion of Federal Receiver to Dismiss Complaint Pursuant to FRCP Rule 12(b)(1)</i> Filed by Defendant David R Chase. (Schwartz, Steven) (Entered: 10/19/2007)
10/19/2007	● <u>34</u>	Memorandum of Points and Authorities in of <i>Federal Receiver in Support of Motion to Dismiss Complaint Pursuant to FRCP Rule 12(b)(1)</i> (RE: related document(s) <u>33</u> Motion to Dismiss Adversary Proceeding). Filed by Defendant David R Chase (Schwartz, Steven) (Entered: 10/19/2007)
10/19/2007	● <u>35</u>	Second Request To Take Judicial Notice of <i>Federal Receiver Pursuant to FRE Rule 201(d) in Support of Motion to Dismiss Complaint Pursuant to FRCP Rule 12(b)(1)</i> (RE: related document(s) <u>33</u> Motion to Dismiss Adversary Proceeding). Filed by Defendant David R Chase (Attachments: # <u>1</u> Appendix) (Schwartz, Steven) (Entered: 10/19/2007)
10/19/2007	● <u>36</u>	Notice of Hearing (RE: related document(s) <u>33</u> Motion to Dismiss Adversary Proceeding filed by Defendant David R Chase). Hearing scheduled for 11/27/2007 at 03:00 PM at San Jose Courtroom 3020 - Weissbrodt. Filed by Defendant David R Chase. (Schwartz, Steven) (Entered: 10/19/2007)
10/19/2007	● <u>37</u>	Certificate of Service of <u>36</u> <i>Notice Of Hearing On Motion Of Federal Receiver To Dismiss Complaint Pursuant To Frcp Rule 12(B)(1)</i> ; <u>33</u> <i>Motion Of Federal Receiver To Dismiss Complaint Pursuant To FRCP Rule 12(B)(1)</i> ; <u>34</u> <i>Memorandum Of Points And Authorities In Support Of Motion Of Federal Receiver To Dismiss Complaint Pursuant To FRCP Rule 12(B)(1)</i> ; <u>35</u> <i>Second Request Of Federal Receiver Pursuant To FRE Rule 201(d) For Judicial Notice In Support Of Motion Of Federal Receiver To Dismiss Complaint Pursuant To FRCP Rule 12(B)(1)</i> . Filed by Defendant David R Chase (Schwartz, Steven) ERROR: LINAKGE. CORRECTIVE ENTRY: COURT ADDED LINKAGE AND MODIFIED DOCKET TEXT. Modified on 10/22/2007 (aw,). (Entered: 10/19/2007)

10/23/2007	● <u>38</u>	Certificate of Service (RE: related document(s) <u>29</u> Opposition Brief/Memorandum,). Filed by Defendant Federal Trade Commission (Mack, Julie) (Entered: 10/23/2007)
10/24/2007	● <u>39</u>	Answer to Complaint of <i>Debtor for Declaratory and Injunctive Relief</i> Filed by Federal Trade Commission. (Attachments: # <u>1</u> Certificate of Service)(Mack, Julie) (Entered: 10/24/2007)
10/28/2007	● <u>40</u>	Transcript, Date of Hearing: Oct. 17, 2007 <i>plaintiff's motion</i> . (Palmer, Susan) (Entered: 10/28/2007)
11/02/2007	● <u>41</u>	Memorandum Decision RE: Order To Show Cause Regarding Preliminary Injunction (RE: related document(s) <u>6</u> Motion for Order to Show Cause Motion for Preliminary Injunction Motion for Temporary Restraining Order filed by Plaintiff The Billing Resource). (Attachments: # <u>1</u> Part II -Pages 41-64) (aw,) (Entered: 11/02/2007)
11/04/2007	● <u>42</u>	BNC Certificate of Mailing - Electronic Order (RE: related document(s) <u>41</u> Memorandum Decision,). Service Date 11/04/2007. (Admin.) (Entered: 11/04/2007)
11/05/2007	●	Emergency Hearing Set On (RE: related document(s) <u>6</u> Emergency Motion for Order to Show Cause RE: , Motion for Preliminary Injunction <i>and Declaratory Relief</i> , Motion for Temporary Restraining Order Filed by Plaintiff The Billing Resource. Hearing scheduled for 11/5/2007 at 04:30 PM at San Jose Courtroom 3020 - Weissbrodt. (tb,) (Entered: 11/06/2007)
11/05/2007	●	Hearing Continued (RE: related document(s) <u>6</u> Emergency Motion for Order to Show Cause RE: , Motion for Preliminary Injunction <i>and Declaratory Relief</i> , Motion for Temporary Restraining Order Filed by Plaintiff The Billing Resource. The Court grants a TRO effective immediately with Plaintiff preparing an order reviewed by counsel for the FTC and The Receiver and will issue an OSC as to why a preliminary injunction should not issue; the Hearing is to be held on 11/16/2007 at 10:00 AM San Jose Courtroom 3020 - Weissbrodt for <u>6</u> , plaintiff to file by 6 PM PST on 11/7/07, defendants by 6 PM PST on 11/9/07, with a reply due by 6 PM PST on 11/13/07. The Debtor and The Receiver should file a joint report with the District Court. (tb,) (Entered: 11/06/2007)
11/06/2007	● <u>43</u>	Objection to <i>Integretel's Form of Proposed Order Granting Temporary Restraining Order and Order To Show Cause re Preliminary Injunction</i> . Filed by Defendant David R Chase (Schwartz, Steven) (Entered: 11/06/2007)
11/07/2007	● <u>44</u>	Response to <i>Receiver's Objection to Proposed Form of Order Granting Temporary Restraining Order</i> (RE: related document(s) <u>43</u> Objection). Filed by Plaintiff The Billing Resource (Sacks, Steven) (Entered: 11/07/2007)

		11/07/2007)
11/07/2007	● <u>45</u>	Certificate of Service (RE: related document(s) <u>44</u> Response). Filed by Plaintiff The Billing Resource (Sacks, Steven) (Entered: 11/07/2007)
11/07/2007	● <u>46</u>	Certificate of Service (RE: related document(s) <u>43</u> Objection). Filed by Defendant David R Chase (Schwartz, Steven) (Entered: 11/07/2007)
11/07/2007	● <u>47</u>	Memorandum of Points and Authorities in Support of (RE: related document(s) <u>6</u> Motion for Order to Show Cause,, Motion for Preliminary Injunction,, Motion for Temporary Restraining Order,). Filed by Plaintiff The Billing Resource (Attachments: # <u>1</u> Declaration of Steven B. Sacks) (Sacks, Steven) (Entered: 11/07/2007)
11/07/2007	● <u>48</u>	Certificate of Service (RE: related document(s) <u>47</u> Memo of Points & Authorities,). Filed by Plaintiff The Billing Resource (Sacks, Steven) (Entered: 11/07/2007)
11/07/2007	● <u>49</u>	Order Granting Motion for Preliminary Injunction (Related Doc # <u>6</u>) (aw,) (Entered: 11/08/2007)
11/08/2007	● <u>50</u>	Notice of Appeal to District Court , Fee Amount \$ 255. (RE: related document(s) <u>49</u> Order on Motion for Preliminary Injunction). Appellant Designation due by 11/19/2007. Transmission to District Court due by 12/10/2007. (Attachments: # <u>1</u> Exhibit A) Filed by Defendant Federal Trade Comission (Mack, Julie) (Entered: 11/08/2007)
11/08/2007	● <u>51</u>	Statement of Election to District Court, (RE: related document(s) <u>50</u> Notice of Appeal, filed by Defendant Federal Trade Comission). Filed by Defendant Federal Trade Comission (Mack, Julie) (Entered: 11/08/2007)
11/08/2007		**COURT ENTRY** (RE: related document(s) <u>50</u> Notice of Appeal,). Fee voided. (Hurt, Sharon) (Entered: 11/08/2007)
11/09/2007	● <u>52</u>	Third Request To Take Judicial Notice <i>in Response to Order to Show Cause Why Preliminary Injunction Should Not Be Issued</i> . Filed by Defendant David R Chase (Schwartz, Steven) (Entered: 11/09/2007)
11/09/2007	● <u>53</u>	Courts Certificate of Mailing. Number of notices mailed: 7 (RE: related document(s) <u>50</u> Notice of Appeal,). (tm,) (Entered: 11/09/2007)
11/09/2007	● <u>54</u>	Transmittal of Record on Appeal to District Court (RE: related document(s) <u>50</u> Notice of Appeal filed by Defendant Federal Trade Comission). (tm,) (Entered: 11/09/2007)

11/09/2007	● <u>55</u>	Supplemental Brief/Memorandum in Opposition to <i>Debtor's Emergency Motion for Preliminary Injunction as to Contempt Proceeding</i> (RE: related document(s) <u>6</u> Motion for Order to Show Cause,, Motion for Preliminary Injunction,, Motion for Temporary Restraining Order,). Filed by Defendant Federal Trade Commission (Mack, Julie) (Entered: 11/09/2007)
11/09/2007	● <u>56</u>	Response to <i>Federal Receiver's Response to Order to Show Cause Why Preliminary Injunction Should Not Be Issued; Memorandum of Points and Authorities in Support Thereof</i> (RE: related document(s) <u>41</u> Memorandum Decision,). Filed by Defendant David R Chase (Schwartz, Steven) (Entered: 11/09/2007)
11/10/2007	● <u>57</u>	BNC Certificate of Mailing - Electronic Order (RE: related document(s) <u>49</u> Order on Motion for Preliminary Injunction). Service Date 11/10/2007. (Admin.) (Entered: 11/10/2007)
11/13/2007	● <u>58</u>	Reply to <i>Debtor's Reply in Support of Motion for Preliminary Injunction</i> (RE: related document(s) <u>6</u> Motion for Order to Show Cause,, Motion for Preliminary Injunction,, Motion for Temporary Restraining Order,). Filed by Plaintiff The Billing Resource (Attachments: # <u>1</u> Certificate of Service) (Sacks, Steven) ERROR: INCORRECT LINKAGE. CORRECTIVE ENTRY: COURT REMOVED INCORRECT LINKAGE AND MODIFIED DOCKET TEXT TO SHOW CORRECT LINKAGE. Modified on 11/14/2007 (aw,). (Entered: 11/13/2007)
11/13/2007	● <u>59</u>	Memorandum of Points and Authorities in Opposition of <i>The Billing Resource, dba Integretel</i> (RE: related document(s) <u>33</u> Motion to Dismiss Adversary Proceeding). Filed by Plaintiff The Billing Resource (Attachments: # <u>1</u> Certificate of Service) (Sacks, Steven) (Entered: 11/13/2007)
11/14/2007	● <u>60</u>	Transcript, Date of Hearing: 11-5-07 <i>Emergency Hearing re Motion for Restraining Order to Stay Enforcement of Omnibus Order by Plaintiff, The Billing Resource dba Integretel, a California corporation.</i> (McCall, Jo) (Entered: 11/14/2007)
11/14/2007	● <u>61</u>	Notice Regarding <i>Notice of Errata Re: Federal Receiver's Response To Order To Show Cause Why Preliminary Injunction Should Not Be Issued; Memorandum Of Points And Authorities In Support Thereof</i> (RE: related document(s) <u>56</u> Response, filed by Defendant David R Chase). Filed by Defendant David R Chase. (Schwartz, Steven) (Entered: 11/14/2007)
11/14/2007	● <u>62</u>	Certificate of Service (RE: related document(s) <u>52</u> Request To Take Judicial Notice, <u>56</u> Response,). Filed by Defendant David R Chase (Schwartz, Steven) (Entered: 11/14/2007)

11/14/2007	● <u>69</u>	Notice of Docketing Record on Appeal to District Court. Case Number: C07-05758-RMW RE: related document(s) <u>50</u> Notice of Appeal filed by Defendant Federal Trade Commission). (aw,) (Entered: 11/21/2007)
11/16/2007	● <u>63</u>	Order Granting Temporarily Restraining Order to Show Cause RE: Motion to Show Cause (Related Doc # <u>6</u>) (aw,) (Entered: 11/16/2007)
11/16/2007	●	Hearing Continued (RE: related document(s) <u>6</u> Emergency Motion for Order to Show Cause RE: , Motion for Preliminary Injunction <i>and Declaratory Relief</i> , Motion for Temporary Restraining Order Filed by Plaintiff The Billing Resource. Hearing to be held on 12/7/2007 at 10:00 AM San Jose Courtroom 3020 - Weissbrodt for <u>6</u> , the Court issues a temporary restraining order through 12/6/07 (if the Court doesn't have authority to issue successive 20 day TROs, parties to file a brief by 5 PM on 11/19/07). (tb,) (Entered: 11/20/2007)
11/18/2007	● <u>64</u>	BNC Certificate of Mailing - Electronic Order (RE: related document(s) <u>63</u> Order on Motion to Show Cause). Service Date 11/18/2007. (Admin.) (Entered: 11/18/2007)
11/19/2007	● <u>65</u>	Appellant Designation of Contents For Inclusion in Record On Appeal <i>and</i> , Statement of Issues on Appeal, <i>and Certificate of Service</i> (RE: related document(s) <u>50</u> Notice of Appeal, filed by Defendant Federal Trade Commission). Appellee designation due by 11/29/2007. Filed by Defendant Federal Trade Commission (Mack, Julie) (Entered: 11/19/2007)
11/19/2007	● <u>66</u>	Objection <i>Post-Hearing Objection to Duration of (Or Alternatively, Motion to Modify) Temporary Restraining Order as to Contempt Proceeding</i> (RE: related document(s) <u>6</u> Motion for Order to Show Cause,, Motion for Preliminary Injunction,, Motion for Temporary Restraining Order,). Filed by Defendant Federal Trade Commission (Attachments: # <u>1</u> Certificate of Service) (Mack, Julie) (Entered: 11/19/2007)
11/20/2007	● <u>67</u>	Notice of Continued Hearing (RE: related document(s) <u>33</u> Motion to Dismiss Adversary Proceeding filed by Defendant David R Chase). Hearing to be held on 12/7/2007 at 10:30 AM San Jose Courtroom 3020 - Weissbrodt for <u>33</u> , Filed by Defendant David R Chase. (Schwartz, Steven) (Entered: 11/20/2007)
11/21/2007	● <u>68</u>	Certificate of Service <i>Notice of Continuance of Hearing on Motion of Federal Receiver to Dismiss Complaint Pursuant to FRCP Rule 12(b)(1) Documents</i> (Related Document(s): <u>33</u> Motion of Federal Receiver to Dismiss Complaint Pursuant to FRCP Rule 12(b)(1)). (Schwartz, Steven) CORRECTIVE ENTRY: COURT ADDED LINKAGE TO DOCUMENT #33 MOTION TO DISMISS COMPLAINT. Modified on 11/26/2007 (er,). (Entered: 11/21/2007)

11/21/2007	●	Hearing Set (per chambers request) On (RE: related document(s) <u>6</u> Emergency Motion for Order to Show Cause RE: , Motion for Preliminary Injunction <i>and Declaratory Relief</i> , Motion for Temporary Restraining Order Filed by Plaintiff The Billing Resource. Hearing scheduled for 11/21/2007 at 02:00 PM at San Jose Courtroom 3020 - Weissbrodt. (tb,) (Entered: 11/21/2007)
11/21/2007	●	Hearing Continued (RE: related document(s) <u>6</u> Emergency Motion for Order to Show Cause RE: , Motion for Preliminary Injunction <i>and Declaratory Relief</i> , Motion for Temporary Restraining Order Filed by Plaintiff The Billing Resource. Hearing to be held on 11/26/2007 at 2:00 PM San Jose Courtroom 3020 - Weissbrodt for <u>6</u> ,the FTC consents to the current TRO continuing in effect through COB on Monday, Nov. 26, 2007. (tb,) (Entered: 11/21/2007)
11/26/2007	●	Hearing Held (RE: related document(s) <u>6</u> Emergency Motion for Order to Show Cause RE: , Motion for Preliminary Injunction <i>and Declaratory Relief</i> , Motion for Temporary Restraining Order Filed by Plaintiff The Billing Resource. (tb,)The Court read its Findings of Fact and Conclusions of Law orally into the record; the debtor/plaintiff is directed not to let the funds out of California and they must be kept in a blocked, interest bearing account pending further order of the Court; the FTC and Receiver are enjoined from pursuing contempt proceedings, this order is effective immediately. The FTC and Receiver's request for a stay of the injunction is denied. The Preliminary Injunction currently set for 12/7/07 at 10:30 is off calendar. Debtor/Plaintiff to notice a motion to amend the complaint for 12/7/07 at 10:30, pleadings to go out by 11/27/07, a response due by 12/3/07 and reply due 12/4/07, parties to file a joint statement by noon on 12/5/07, Ms. Diemer for POL is to be served with all pleadings. Modified on 11/27/2007 (tb,). (Entered: 11/27/2007)
11/27/2007	●	Hearing Set (by the court to clarify findings of fact read into record on 11/26/07) On (RE: related document(s) <u>6</u> Emergency Motion for Order to Show Cause RE: , Motion for Preliminary Injunction <i>and Declaratory Relief</i> , Motion for Temporary Restraining Order Filed by Plaintiff The Billing Resource. Hearing scheduled for 11/27/2007 at 11:00 AM at San Jose Courtroom 3020 - Weissbrodt. (tb,) (Entered: 11/27/2007)
11/27/2007	● <u>70</u>	Motion to Amend <i>Debtor's Motion for Leave to File an Amended Complaint</i> Filed by Plaintiff The Billing Resource. (Attachments: # <u>1</u> Declaration Steven B. Sacks) (Sacks, Steven) (Entered: 11/27/2007)
11/27/2007	● <u>71</u>	Notice of Hearing <i>re Debtor's Motion for Leave to File an Amended Complaint</i> (RE: related document(s) <u>70</u> Motion to Amend filed by Plaintiff The Billing Resource). Hearing scheduled for 12/7/2007 at 10:30 AM at San Jose Courtroom 3020 - Weissbrodt. Filed by Plaintiff The Billing Resource. (Sacks, Steven) (Entered: 11/27/2007)

11/27/2007	●	Courtroom Hearing Held (RE: Motion for Order to Show Cause - related document(s) <u>6</u>) (The Court issues an amended injunction enjoining the Receiver from pursuing the contempt proceeding; parties to file briefs re the issue of a back-up order: Plaintiff/debtor to file by 3 PM PST 11/30/07 and defendants to respond NLT 3 PM 12/5/07.)(tb,) (Entered: 11/27/2007)
11/27/2007	● <u>72</u>	Certificate of Service (RE: related document(s) <u>71</u> Notice of Hearing,, <u>70</u> Motion to Amend). Filed by Plaintiff The Billing Resource (Sacks, Steven) (Entered: 11/27/2007)
11/28/2007	● <u>73</u>	Transcript, Date of Hearing: 11-16-07a) <i>Motion for Order to Show Cause Regarding Preliminary Injunction re Order to Stay Enforcement of Omnibus Order; b) Supplemental Opposition by Federal Trade Commission; c) Response by David R. Chase.</i> (McCall, Jo) (Entered: 11/28/2007)
11/28/2007	● <u>74</u>	Notice of Appeal to District Court of <i>Preliminary Injunction re Contempt Proceeding per 11/27/2007 Hearing</i> , Fee Waived. Appellant Designation due by 12/10/2007. Transmission to District Court due by 12/28/2007. (Attachments: # <u>1</u> Exhibit A) Filed by Defendant Federal Trade Commission (Mack, Julie) (Entered: 11/28/2007)
11/28/2007	● <u>75</u>	Statement of Election to District Court, of <i>Appeal of Preliminary Injunction re Contempt per 11/27/2007 Hearing and Certificate of Service</i> (RE: related document(s) <u>74</u> Notice of Appeal, filed by Defendant Federal Trade Commission). Filed by Defendant Federal Trade Commission (Mack, Julie) (Entered: 11/28/2007)
11/28/2007	● <u>76</u>	Order Granting Motion For Preliminary Injunction (Related Doc # <u>6</u>) (aw,) (Entered: 11/28/2007)
11/28/2007	● <u>78</u>	Amended Order Granting Motion For Preliminary Injunction (RE: related document(s) <u>76</u> Order on Motion to Show Cause). (aw,) (Entered: 11/30/2007)
11/29/2007	● <u>77</u>	Supplemental Document : <i>Appellee's Designation of Additional Items to be Included in the Record on Appeal of Order Granting Preliminary Injunction</i> in (RE: related document(s) <u>76</u> Order on Motion to Show Cause). Filed by Plaintiff The Billing Resource (Sacks, Steven) ERROR: WRONG EVENT SELECTED. Modified on 12/3/2007 (tm,). (Entered: 11/29/2007)
11/29/2007	● <u>88</u>	Transmittal of Record on Appeal to District Court with Certificate of Court Mailing (RE: related document(s) <u>74</u> Notice of Appeal filed by Defendant Federal Trade Commission). (aw,) (Entered: 12/06/2007)

11/29/2007	● <u>92</u>	Notice of Docketing Record on Appeal to District Court. Case Number: C07-05758RMW (RE: related document(s) <u>74</u> Notice of Appeal filed by Defendant Federal Trade Commission). (aw,) (Entered: 12/07/2007)
12/01/2007	● <u>79</u>	BNC Certificate of Mailing - Electronic Order (RE: related document(s) <u>76</u> Order on Motion to Show Cause). Service Date 12/01/2007. (Admin.) (Entered: 12/01/2007)
12/02/2007	● <u>80</u>	BNC Certificate of Mailing - Electronic Order (RE: related document(s) <u>78</u> Amended Order). Service Date 12/02/2007. (Admin.) (Entered: 12/02/2007)
12/03/2007	● <u>81</u>	Brief/Memorandum in Opposition to <i>Opposition of Federal Receiver to Motion for Leave to File an Amended Complaint</i> (RE: related document(s) <u>70</u> Motion to Amend). Filed by Defendant David R Chase (Schwartz, Steven) (Entered: 12/03/2007)
12/03/2007	● <u>82</u>	Brief/Memorandum in Opposition to <i>Debtor's Motion for Leave to File Amended Complaint</i> (RE: related document(s) <u>70</u> Motion to Amend). Filed by Defendant Federal Trade Commission (Attachments: # <u>1</u> Certificate of Service) (Mack, Julie) (Entered: 12/03/2007)
12/04/2007	● <u>83</u>	Certificate of Service <i>Opposition of Federal Receiver to Motion for Leave to File an Amended Complaint</i> (RE: related document(s) <u>81</u> Opposition Brief/Memorandum). Filed by Defendant David R Chase (Schwartz, Steven) (Entered: 12/04/2007)
12/04/2007	● <u>84</u>	Reply to (RE: related document(s) <u>81</u> Opposition Brief/Memorandum, <u>82</u> Opposition Brief/Memorandum, <u>70</u> Motion to Amend). Filed by Plaintiff The Billing Resource (Attachments: # <u>1</u> Certificate of Service) (Sacks, Steven) (Entered: 12/04/2007)
12/04/2007	● <u>85</u>	Transcript, Date of Hearing: 11-27-07a) <i>Motion for Order to Show Cause Regarding Preliminary Injunction re Order to Stay Enforcement of Omnibus Order; b) Supplemental Opposition by Federal Trade Commission; c) Response by David R. Chase</i> . (McCall, Jo) (Entered: 12/04/2007)
12/05/2007	●	Transcript, Date of Hearing: Nov. 21, 2007 <i>plaintiff's motion for order to show cause re preliminary injunction</i> . (Palmer, Susan) (Entered: 12/05/2007)
12/05/2007	● <u>86</u>	Case Management Conference Statement <u>5</u> <i>Order for Telephonic Status Conference</i> . Filed by Plaintiff The Billing Resource (Sacks, Steven) ERROR: LINKAGE. CORRECTIVE ENTRY: COURT CORRECTED ERROR AND MODIFIED DOCKET TEXT TO SHOW CORRECT

		LINKAGE. Modified on 12/6/2007 (aw,). (Entered: 12/05/2007)
12/05/2007	● <u>87</u>	Supplemental Certificate of Service (RE: related document(s) <u>71</u> Notice of Hearing,, <u>70</u> Motion to Amend). Filed by Plaintiff The Billing Resource (Sacks, Steven) (Entered: 12/05/2007)
12/06/2007	● <u>89</u>	Notice of Appeal to District Court <i>filed by Defendant/Appellant David R. Chase, as Federal Receiver, with Certificate of Service</i> , Fee Amount \$ 255. (RE: related document(s) <u>78</u> Amended Order). Appellant Designation due by 12/17/2007. Transmission to District Court due by 1/7/2008. Filed by Defendant David R Chase (Schwartz, Steven) (Entered: 12/06/2007)
12/06/2007		Receipt of filing fee for Notice of Appeal(07-05156) [appeal,ntcapl] (255.00). Receipt number 4894378, amount \$ 255.00 (U.S. Treasury) (Entered: 12/06/2007)
12/06/2007	● <u>90</u>	Statement of Election to District Court, <i>Made By Defendant/Appellant David R. Chase, as Federal Receiver, with Certificate of Service</i> (RE: related document(s) <u>89</u> Notice of Appeal, filed by Defendant David R Chase). Filed by Defendant David R Chase (Schwartz, Steven) (Entered: 12/06/2007)
12/07/2007	● <u>91</u>	Joint Case Management Conference Statement <u>5</u> Order for Telephonic Status Conference <i>of the Federal Trade Commission and The Federal Receiver, with Certificate of Service</i> . Filed by Defendant David R Chase (Oetzell, Walter)ERROR: LINKAGE. CORRECTIVE ENTRY: COURT ADDED LINKAGE AND MODIFIED DOCKET TEXT TO SHOW LINKAGE. Modified on 12/10/2007 (aw,). (Entered: 12/07/2007)
12/07/2007	●	Courtroom Hearing Held (RE: Motion to Dismiss Adversary Proceeding - related document(s) <u>33</u>) (DENIED.)(tb,) (Entered: 12/07/2007)
12/07/2007	●	Courtroom Hearing Held (RE: Motion to Amend - related document(s) <u>70</u>) (APPROVED.)(tb,) (Entered: 12/07/2007)
12/07/2007	●	Courtroom Hearing Continued (RE: Order for Telephonic Status Conference - related document(s) <u>5</u>) (Continued to 1/4/2008 03:15 PM at San Jose Courtroom 3020 - Weissbrodt) (continued per hearing 12/7/07.)(tb,) (Entered: 12/07/2007)
12/07/2007	● <u>93</u>	Transmittal of Record on Appeal to District Court (RE: related document(s) <u>89</u> Notice of Appeal filed by Defendant David R Chase). (aw,) (Entered: 12/07/2007)
12/07/2007	● <u>94</u>	Notice of Docketing Record on Appeal to District Court. Case Number:C07-06210-JF (RE: related document(s) <u>89</u> Notice of Appeal filed

		by Defendant David R Chase). (aw,) (Entered: 12/07/2007)
12/10/2007	●	Transcript, Date of Hearing: Nov. 26, 2007 <i>continued hearing on plaintiff's motion for order to show cause, including The Court's Rulings.</i> (Palmer, Susan)ERROR: PDF NOT ATTACHED. Modified on 12/11/2007 (be,). (Entered: 12/10/2007)
12/10/2007	● <u>95</u>	Appellant Designation of Contents For Inclusion in Record On Appeal , Statement of Issues on Appeal, <i>re November 28, 2007 Amended Order Granting Motion for Preliminary Injunction, and Certificate of Service</i> (RE: related document(s) <u>74</u> Notice of Appeal, filed by Defendant Federal Trade Comission,). Appellee designation due by 12/20/2007. Filed by Defendant Federal Trade Comission (Mack, Julie)CORRECTIVE ENTRY: COURT REMOVED LINK TO DOCUMENT NUMBER 89. Modified on 12/11/2007 (be,). (Entered: 12/10/2007)
12/13/2007	● <u>96</u>	Certificate of Service <i>for the Proposed Order Granting Leave to File Amended Complaint (103702.pdf)</i> . Filed by Plaintiff The Billing Resource (Sacks, Steven) (Entered: 12/13/2007)
12/13/2007	● <u>97</u>	Certificate of Service <i>for the proposed Order Denying Motion to Dismiss Complaint (103487.pdf)</i> . Filed by Plaintiff The Billing Resource (Sacks, Steven) (Entered: 12/13/2007)
12/14/2007	● <u>98</u>	Fourth Request To Take Judicial Notice <i>in Adversary Proceeding</i> . Filed by Defendant David R Chase (Attachments: # <u>1</u> Appendix 2of5# <u>2</u> Appendix 3of5# <u>3</u> Appendix 4of5# <u>4</u> Appendix 5of5) (Schwartz, Steven) (Entered: 12/14/2007)
12/14/2007	●	Transcript, Date of Hearing: Nov. 26, 2007 <i>corrected filing of continued hearing on plaintiff's motion for order to show cause re preliminary injunction re order to stay enforcement of omnibus order, including The Court's rulings.</i> (Palmer, Susan) (Entered: 12/14/2007)
12/14/2007	● <u>99</u>	Transcript, Date of Hearing: Nov. 26, 2007 <i>corrected filing of continued hearing on plaintiff's motion for order to show cause re preliminary injunction re order to stay enforcement of omnibus order, including The Court's rulings.</i> (Palmer, Susan) (Entered: 12/14/2007)
12/14/2007	●	Transcript, Date of Hearing: Nov. 21, 2007 <i>corrected filing of plaintiff's motion for order to show cause re preliminary injunction re order to stay enforcement of omnibus order.</i> (Palmer, Susan) (Entered: 12/14/2007)
12/14/2007	● <u>100</u>	Transcript, Date of Hearing: Nov. 21, 2007 <i>corrected filing of hearing on plaintiff's motion for order to show cause re preliminary injunction.</i> (Palmer, Susan) (Entered: 12/14/2007)

12/14/2007	● <u>101</u>	Appellant Designation of Contents For Inclusion in Record On Appeal <i>from the November 28, 2007 Amended Order Granting Motion for Preliminary Injunction</i> (RE: related document(s) <u>89</u> Notice of Appeal, filed by Defendant David R Chase). Appellee designation due by 12/26/2007. Filed by Defendant David R Chase (Schwartz, Steven) (Entered: 12/14/2007)
12/14/2007	● <u>102</u>	Statement of Issues on Appeal, <i>to be Presented to the District Court Pursuant to Rule 8006 of the Federal Rules of Bankruptcy Procedure</i> (RE: related document(s) <u>89</u> Notice of Appeal, filed by Defendant David R Chase). Filed by Defendant David R Chase (Schwartz, Steven) (Entered: 12/14/2007)
12/14/2007	● <u>103</u>	Certificate of Service (RE: related document(s) <u>98</u> Request To Take Judicial Notice). Filed by Defendant David R Chase (Schwartz, Steven) (Entered: 12/14/2007)
12/14/2007	● <u>104</u>	Certificate of Service (RE: related document(s) <u>102</u> Statement of Issues on Appeal,, <u>101</u> Appellant Designation,). Filed by Defendant David R Chase (Schwartz, Steven) (Entered: 12/14/2007)
12/14/2007	● <u>105</u>	Appellant Designation of Contents For Inclusion in Record On Appeal <i>ERRATA</i> (RE: related document(s) <u>89</u> Notice of Appeal, filed by Defendant David R Chase). Appellee designation due by 12/26/2007. Filed by Defendant David R Chase (Schwartz, Steven) (Entered: 12/14/2007)
12/17/2007	● <u>106</u>	Amended Statement of Issues on Appeal, (RE: related document(s) <u>102</u> Statement of Issues on Appeal, filed by Defendant David R Chase). Filed by Defendant David R Chase (Schwartz, Steven) (Entered: 12/17/2007)
12/17/2007	● <u>107</u>	Certificate of Service (RE: related document(s) <u>106</u> Statement of Issues on Appeal). Filed by Defendant David R Chase (Schwartz, Steven) (Entered: 12/17/2007)
12/17/2007	● <u>108</u>	Certificate of Service (RE: related document(s) <u>105</u> Appellant Designation,). Filed by Defendant David R Chase (Schwartz, Steven) (Entered: 12/17/2007)
12/20/2007	● <u>109</u>	Statement of Appellee's Designation of Additional Items to be Included in the Record on Appeal Filed by Federal Trade Commission from the November 28, 2007 Amended Order Granting Preliminary Injunction (RE: related document(s) <u>74</u> Notice of Appeal,, <u>95</u> Appellant Designation,, Statement of Issues on Appeal,,). Filed by Plaintiff The Billing Resource (Rehfeld, Jeffrey) ERROR: WRONG DOCKET EVENT CODE SELECTED. Modified on 12/21/2007 (aw,). (Entered: 12/20/2007)

12/20/2007	● <u>110</u>	Certificate of Service <i>of Appellee's Designation of Additional Items to be Included in the Record on Appeal Filed by Federal Trade Commission from the November 28, 2007 Amended Order Granting Preliminary Injunction</i> (RE: related document(s) <u>109</u> Statement,). Filed by Plaintiff The Billing Resource (Rehfeld, Jeffrey) (Entered: 12/20/2007)
12/21/2007	● <u>111</u>	Order Granting Motion To Amend (Related Doc # <u>70</u>) (aw,) (Entered: 12/21/2007)
12/23/2007	● <u>112</u>	BNC Certificate of Mailing - Electronic Order (RE: related document(s) <u>111</u> Order on Motion to Amend). Service Date 12/23/2007. (Admin.) (Entered: 12/23/2007)
12/26/2007	● <u>113</u>	Supplemental Document <i>Appellee's Designation of Additional Items to be Included in the Record on Appeal Re Appeal Filed by David R. Chase, as Federal Receiver, from the November 30, 2007 Amended Order Granting Motion for Preliminary Injunction in Support</i> (RE: related document(s) <u>89</u> Notice of Appeal,, <u>109</u> Statement,). Filed by Plaintiff The Billing Resource (Attachments: # <u>1</u> Certificate of Service) (Rehfeld, Jeffrey) (Entered: 12/26/2007)
12/27/2007	● <u>114</u>	Amended Complaint for <i>Declaratory Relief, Temporary Restraining Order and Preliminary Injunction and to Determine Validity, Priority and Extent of Interest in Property</i> by Jeffrey K. Rehfeld on behalf of The Billing Resource against David R Chase, Federal Trade Commission. (RE: related document(s) <u>1</u> Complaint filed by Plaintiff The Billing Resource). (Rehfeld, Jeffrey) (Entered: 12/27/2007)
12/27/2007	● <u>115</u>	Certificate of Service <i>Re: Amended Complaint for Declaratory Relief, Temporary Restraining Order and Preliminary Injunction and to Determine Validity, Priority and Extent of Interest in Property</i> (RE: related document(s) <u>114</u> Amended Complaint,). Filed by Plaintiff The Billing Resource (Rehfeld, Jeffrey) (Entered: 12/27/2007)
12/27/2007	● <u>116</u>	Order Denying Motion to Dismiss Adversary Proceeding (Related Doc # <u>33</u>) (aw,) (Entered: 12/27/2007)
12/28/2007	● <u>117</u>	Transcript, Date of Hearing: 12-7-07a) <i>Motion to Dismiss Complaint Pursuant to FRCP Rule 12(b)(1); b) Opposition by Plaintiff; c) Motion for Leave to File an Amended Complaint by Plaintiff; d) Opposition by David R. Chase, Federal Receiver of Access One Communications, Inc. and Network One Services, Inc.; e) Opposition by Defendant, Federal Trade Commission.</i> (McCall, Jo) (Entered: 12/28/2007)
12/28/2007	● <u>118</u>	Notice of Docketing Record on Appeal to District Court. (RE: related document(s) <u>74</u> Notice of Appeal filed by Defendant Federal Trade Commission, <u>50</u> Notice of Appeal filed by Defendant Federal Trade

Comission). (aw,) (Entered: 12/28/2007)

12/28/2007	● <u>127</u>	Notice of Docketing Record on Appeal to District Court. Case Number: (RE: related document(s) <u>89</u> Notice of Appeal filed by Defendant David R Chase). (aw,) (Entered: 01/10/2008)
12/29/2007	● <u>119</u>	BNC Certificate of Mailing - Electronic Order (RE: related document(s) <u>116</u> Order on Motion to Dismiss Adversary Proceeding). Service Date 12/29/2007. (Admin.) (Entered: 12/29/2007)
01/03/2008	●	Courtroom Hearing Continued (RE: Order for Telephonic Status Conference - related document(s) <u>5</u>) (Continued to 2/1/2008 03:15 PM at San Jose Courtroom 3020 - Weissbrodt) (continued prior to hearing per chambers)(tb,) (Entered: 01/03/2008)
01/04/2008	● <u>120</u>	Motion to Dismiss Adversary Proceeding Filed by Defendant David R Chase. (Schwartz, Steven) (Entered: 01/04/2008)
01/04/2008	● <u>121</u>	Memorandum of Points and Authorities in of (RE: related document(s) <u>120</u> Motion to Dismiss Adversary Proceeding). Filed by Defendant David R Chase (Schwartz, Steven) (Entered: 01/04/2008)
01/04/2008	● <u>122</u>	Notice of Hearing (RE: related document(s) <u>120</u> Motion to Dismiss Adversary Proceeding filed by Defendant David R Chase). Hearing scheduled for 2/19/2008 at 02:15 PM at San Jose Courtroom 3020 - Weissbrodt. Filed by Defendant David R Chase. (Schwartz, Steven) (Entered: 01/04/2008)
01/04/2008	● <u>123</u>	Certificate of Service (RE: related document(s) <u>120</u> Motion to Dismiss Adversary Proceeding). Filed by Defendant David R Chase (Schwartz, Steven) (Entered: 01/04/2008)
01/04/2008	● <u>124</u>	Certificate of Service (RE: related document(s) <u>121</u> Memo of Points & Authorities). Filed by Defendant David R Chase (Schwartz, Steven) (Entered: 01/04/2008)
01/04/2008	● <u>125</u>	Certificate of Service (RE: related document(s) <u>122</u> Notice of Hearing,). Filed by Defendant David R Chase (Schwartz, Steven) (Entered: 01/04/2008)
01/07/2008	● <u>126</u>	Answer to Complaint <i>Amended Complaint</i> Filed by Federal Trade Comission. (Attachments: # <u>1</u> Certificate of Service)(Mack, Julie) (Entered: 01/07/2008)
01/08/2008	● <u>128</u>	Notice of Docketing Record on Appeal to District Court. Case Number: (RE: related document(s) <u>89</u> Notice of Appeal filed by Defendant David R

		Chase). (aw,) (Entered: 01/10/2008)
01/08/2008	● <u>129</u>	Notice of Docketing Record on Appeal to District Court. Case Number: (RE: related document(s) <u>74</u> Notice of Appeal filed by Defendant Federal Trade Comission, <u>50</u> Notice of Appeal filed by Defendant Federal Trade Comission). (aw,) (Entered: 01/10/2008)
01/11/2008	● <u>130</u>	Motion for Withdrawal of Reference Fee Waived. Filed by Defendant Federal Trade Comission. (Attachments: # <u>1</u> Declaration of Michael Mora in Support of Motion for Withdrawal of Reference# <u>2</u> Memorandum of Points and Authorities in Support of Motion to Withdraw Reference# <u>3</u> Exhibit FTCX 1-3# <u>4</u> Exhibit FTCX 4-5# <u>5</u> Exhibit FTCX 6-12# <u>6</u> Exhibit FTCX 13 Part 1# <u>7</u> Exhibit FTCX 13 Part 2# <u>8</u> Exhibit FTCX 14-25# <u>9</u> Certificate of Service) (Mack, Julie) (Entered: 01/11/2008)
01/17/2008	● <u>131</u>	Document: Return Transmittal Letter. District Court Case Number is C08-00341-RMW . (RE: related document(s) <u>130</u> Motion for Withdrawal of Reference). (aw,) (Entered: 01/18/2008)
01/25/2008	● <u>132</u>	Joint Case Management Conference Statement <u>5</u> Order for Telephonic Status Conference <i>of The Federal Trade Commission and The Federal Receiver</i> . Filed by Defendant David R Chase (Schwartz, Steven) ERROR: LINAKGE. CORRECTIVE ENTRY: COURT CORRECTED ERROR AND MODIFIED DOCKET TEXT TO SHOW CORRECT LINKAGE. Modified on 1/28/2008 (aw,). (Entered: 01/25/2008)
01/25/2008	● <u>133</u>	Certificate of Service (RE: related document(s) <u>132</u> Case Management Conference Statement). Filed by Defendant David R Chase (Schwartz, Steven) (Entered: 01/25/2008)
01/25/2008	● <u>134</u>	Case Management Conference Statement <u>5</u> Order for Telephonic Status Conference . Filed by Plaintiff The Billing Resource (Attachments: # <u>1</u> Certificate of Service) (Sacks, Steven)ERROR: LINKAGE. CORRECTIVE ENTRY: COURT CORRECTED ERROR AND MODIFIED DOCKET TEXT TO SHOW CORRECT LINKAGE. Modified on 1/28/2008 (aw,). (Entered: 01/25/2008)
01/29/2008	● <u>135</u>	Notice of Docketing Record on Appeal to District Court.(RE: related document(s) <u>89</u> Notice of Appeal filed by Defendant David R Chase). (aw,) (Entered: 01/30/2008)
02/01/2008	●	Courtroom Hearing Continued (RE: Order for Telephonic Status Conference - related document(s) <u>5</u>) (Continued to 4/14/2008 03:15 PM at San Jose Courtroom 3020 - Weissbrodt) (Parties to file a joint statement by 4/9/08.)(tb,) (Entered: 02/08/2008)

02/05/2008	● <u>136</u>	Memorandum of Points and Authorities in Opposition of <i>Motion of Federal Receiver to Dismiss Complaint Pursuant To FRCP 12(b)(1)</i> . (Related Document(s): <u>33</u> Motion to Dismiss Adversary Proceeding. Filed by Plaintiff The Billing Resource (Sacks, Steven) CORRECTIVE ENTRY: COURT ADDED LINKAGE TO DOCUMENT #33. Modified on 2/6/2008 (er,). (Entered: 02/05/2008)
02/12/2008	● <u>137</u>	Reply to <i>Plaintiff's Opposition to Motion of Federal Receiver to Dismiss Amended Complanit Pursuant to FRCP Rule 12(b)(1) and (6)</i> (RE: related document(s) <u>136</u> Memo of Points & Authorities,). Filed by Defendant David R Chase (Schwartz, Steven) (Entered: 02/12/2008)
02/12/2008	● <u>138</u>	Certificate of Service (RE: related document(s) <u>137</u> Reply,). Filed by Defendant David R Chase (Schwartz, Steven) (Entered: 02/12/2008)
02/19/2008	●	Courtroom Hearing Held (RE: Motion to Dismiss Adversary Proceeding - related document(s) <u>120</u>) (DENIED for reasons articulated on the record. The Receiver shall file an answer to the amended complaint within 20 days after entry of the order denying this motion.)(tb,) (Entered: 02/19/2008)
02/22/2008	● <u>139</u>	Motion for Preliminary Injunction Filed by Plaintiff The Billing Resource. (Attachments: # <u>1</u> Declaration of Ken Dawson) (Sacks, Steven) (Entered: 02/22/2008)
02/22/2008	● <u>140</u>	Notice of Hearing (RE: related document(s) <u>139</u> Motion for Preliminary Injunction filed by Plaintiff The Billing Resource). Hearing scheduled for 3/7/2008 at 01:00 PM at San Jose Courtroom 3020 - Weissbrodt. Filed by Plaintiff The Billing Resource. (Sacks, Steven) (Entered: 02/22/2008)
02/22/2008	● <u>141</u>	Certificate of Service (RE: related document(s) <u>139</u> Motion for Preliminary Injunction, <u>140</u> Notice of Hearing,). (Sacks, Steven) (Entered: 02/22/2008)
02/28/2008	● <u>142</u>	Brief/Memorandum in Opposition to <i>Debtor's Motion for Extension of Preliminary Injunction Against Prosecution of Florida Action</i> (RE: related document(s) <u>139</u> Motion for Preliminary Injunction). Filed by Defendant David R Chase (Schwartz, Steven) (Entered: 02/28/2008)
02/29/2008	● <u>143</u>	Certificate of Service (RE: related document(s) <u>142</u> Opposition Brief/Memorandum,). (Schwartz, Steven) (Entered: 02/29/2008)
02/29/2008	● <u>144</u>	Brief/Memorandum in Opposition to <i>Debtor's Motion for Extension of Preliminary Injunction Against Prosecution of Florida Action</i> (RE: related document(s) <u>139</u> Motion for Preliminary Injunction). Filed by Defendant Federal Trade Comission (Attachments: # <u>1</u> Affidavit of FTC Counsel Robert Schoshinski# <u>2</u> Certificate of Service) (Mack, Julie) (Entered: 02/29/2008)

		02/29/2008)
03/04/2008	● <u>145</u>	Certificate of Service <i>Order Denying Motion to Dismiss Complaint</i> (RE: related document(s) <u>120</u> Motion to Dismiss Adversary Proceeding). Filed by Plaintiff The Billing Resource (Sacks, Steven) (Entered: 03/04/2008)
03/05/2008	● <u>146</u>	Reply to (RE: related document(s) <u>139</u> Motion for Preliminary Injunction, <u>142</u> Opposition Brief/Memorandum,, <u>144</u> Opposition Brief/Memorandum,). Filed by Plaintiff The Billing Resource (Attachments: # <u>1</u> Declaration of Neil Goldfarb) (Sacks, Steven) (Entered: 03/05/2008)
03/05/2008	● <u>147</u>	Certificate of Service (RE: related document(s) <u>146</u> Reply,). (Sacks, Steven) (Entered: 03/05/2008)
03/05/2008	● <u>148</u>	Certificate of Service <i>for Proposed Order (111527.pdf)</i> . (RELATED DOCUMENT: <u>120</u> Motion to Dismiss Adversary Proceeding) Filed by Plaintiff The Billing Resource (Sacks, Steven) CORRECTIVE ENTRY: NOT LINKED - COURT CORRECTED. Modified on 3/6/2008 (jd,). (Entered: 03/05/2008)
03/07/2008	●	Courtroom Hearing Continued (RE: Motion for Preliminary Injunction - related document(s) <u>139</u>) (Continued to 6/5/2008 02:00 PM at San Jose Courtroom 3020 - Weissbrodt) (the Court will hold a further hearing on whether the preliminary injunction of the enforcement action should be continued beyond 6/12/08; any supplemental papers in support of the motion are to be filed by 5/15/08, any opposition by 5/22/08 and reply by 5/29/08.) (tb,) (Entered: 03/07/2008)
03/07/2008	● <u>149</u>	Brief/Memorandum in Opposition to (RE: related document(s) <u>130</u> Motion for Withdrawal of Reference,). Filed by Plaintiff The Billing Resource (Attachments: # <u>1</u> Certificate of Service) (Sacks, Steven) (Entered: 03/07/2008)
03/10/2008	● <u>150</u>	Transcript, Date of Hearing: Feb. 25, 2008 <i>debtor's motions and plaintiff's application</i> . (Palmer, Susan) ERROR: DOCKETED ON INCORRECT ADVERSARY CASE. Modified on 3/11/2008 (jd,). (Entered: 03/10/2008)
03/10/2008	● <u>151</u>	Order Denying Motion to Dismiss Adversary Proceeding (Related Doc # <u>120</u>) (jd,) (Entered: 03/10/2008)
03/12/2008	● <u>152</u>	BNC Certificate of Mailing - Electronic Order (RE: related document(s) <u>151</u> Order on Motion to Dismiss Adversary Proceeding). Service Date 03/12/2008. (Admin.) (Entered: 03/12/2008)
03/14/2008	● <u>153</u>	Certificate of Service <i>for proposed Order re Preliminary Injunction</i>

		[112621.pdf] . (RELATED DOCUMENT: 6? Emergency Motion for Order to Show Cause RE: , Motion for Preliminary Injunction and Declaratory Relief, Motion for Temporary Restraining Order) Filed by Plaintiff The Billing Resource (Sacks, Steven) CORRECTIVE ENTRY: NOT LINKED - COURT CORRECTED. Modified on 3/17/2008 (jd,). (Entered: 03/14/2008)
03/18/2008	● 154	Order Granting Motion for Preliminary Injunction (Related Doc # 139) (jd,) (Entered: 03/18/2008)
03/19/2008	● 155	Transcript, Date of Hearing: 3-7-08a) <i>Motion for Order to Show Cause Regarding Preliminary Injunction and Declaratory Relief</i> ; b) <i>Opposition by Defendant, Federal Trade Commission</i> ; c) <i>Opposition by David R. Chase, Federal Receiver of Access One Communications, Inc. and Network One Services, Inc.</i> ; d) <i>Motion for Extension of Preliminary Injunction Against Prosecution of Florida Action by Plaintiff</i> ; e) <i>Opposition by David R. Chase, Federal Receiver</i> ; f) <i>Opposition by Defendant, Federal Trade Commission.</i> (McCall, Jo) (Entered: 03/19/2008)
03/20/2008	● 156	BNC Certificate of Mailing - Electronic Order (RE: related document(s) 154 Order on Motion for Preliminary Injunction). Service Date 03/20/2008. (Admin.) (Entered: 03/20/2008)
03/21/2008	● 157	Notice of Appeal to District Court <i>and Certificate of Service</i> , Fee Waived (RE: related document(s) 154 Order on Motion for Preliminary Injunction). Appellant Designation due by 3/31/2008. Transmission to District Court due by 4/21/2008. Filed by Defendant Federal Trade Commission (Mack, Julie) (Entered: 03/21/2008)
03/21/2008	● 158	Statement of Election to District Court, <i>and Certificate of Service</i> (RE: related document(s) 157 Notice of Appeal, filed by Defendant Federal Trade Commission). Filed by Defendant Federal Trade Commission (Mack, Julie) (Entered: 03/21/2008)
03/24/2008	● 159	<i>Motion Notice of Motion and Federal Receiver's Motion to Vacate Preliminary Injunction Against Prosecution of Florida Action; Memorandum of Points and Authorities in Support Thereof</i> Filed by Defendant David R Chase. (Oetzell, Walter)ERROR: NOTICE OF OPPORTUNITY FOR HEARING MUST BE A SEPARATE PDF DOCUMENT AND DOCKETED SEPARATELY AND LINKED BACK TO THE MOTION EVENT. Modified on 3/25/2008 (jd,). (Entered: 03/24/2008)
03/25/2008	● 160	Certificate of Service (RE: related document(s) 159 Motion Miscellaneous Relief,). Filed by Defendant David R Chase (Oetzell, Walter) (Entered: 03/25/2008)

03/25/2008	● <u>161</u>	Courts Certificate of Mailing. Number of notices mailed: 10 (RE: related document(s) <u>157</u> Notice of Appeal,). (jd,) (Entered: 03/25/2008)
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